

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

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STACEY ALEXANDER HENDERSON,

Petitioner,

v.

RICK THALER,
Director, Texas Dep't of Criminal Justice,
Correctional Institutions Division,

Respondent.

2:09-CV-099

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
GRANTING RESPONDENT'S MOTION TO DISMISS, and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On March 4, 2010, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's June 16, 2009 motion to dismiss be granted, and that petitioner's application for a writ of habeas corpus be dismissed as time barred. Petitioner filed objections to the Report and Recommendation on March 31, 2010.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the motion to dismiss filed by respondent is hereby GRANTED, and the petition for a writ of habeas corpus filed by petitioner is DISMISSED.

IT IS SO ORDERED.

ENTERED this 31st day of March 2010.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE